

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH
RONALD H. GORDON, ESQ. OF THE FIRM
DECOTIIS, FITZPATRICK & COLE, LLP
TO SERVE AS LABOR COUNSEL**

WHEREAS, the Township of North Brunswick has a need to acquire professional services for Labor Counsel for 2016; and

WHEREAS, on October 5, 2015, the Township Council approved resolution 267-10.15 authorizing the solicitation of Requests for Proposals for said professional services; and

WHEREAS, services were procured in formal manner under N.J.S.A. 40A:11-4.1a et under both a fair and open and competitive process to assure that each person and/or firm is provided an equal opportunity to submit a proposal; and

WHEREAS, the Purchasing Agent received, and the Deputy Municipal Clerk witnessed, the receipt of two proposals for said professional services on November 13, 2015; and

WHEREAS, the Evaluation Committee, designated to review proposals and make a recommendation, has completed the review process and included herein an Evaluation Report detailing their review and recommendation; and

WHEREAS, the Evaluation Committee recommends the award of contract PRO16007 to Ronald Gordon Esq. of the firm DeCottis, Fitzpatrick & Cole, LLP and determined him responsive in all respects and qualified for the position; and

WHEREAS, it is in the best interest of the Township of North Brunswick to enter into an agreement with Ronald Gordon Esq. of the firm DeCotiis, Fitzpatrick & Cole, LLP (Glenpointe Centre West, 500 Frank W. Burr Blvd., Teaneck, NJ 07666) to serve in the position as Labor Counsel for calendar year 2016; and

WHEREAS, the firm DeCotiis, Fitzpatrick & Cole, LLP shall be compensated for these services at an amended, and mutually agreed, blended hourly rate of \$175.00 for partners and associates, an amended, and mutually agreed, blended hourly rate of \$95.00 for law clerks and paralegals, and reimbursable expenses in an amount not to exceed \$40,000.00; and

WHEREAS, the Chief Financial Officer has certified that \$30,000.00 is available for this purpose in FY2016 budget account 6-01-20-155-000-983 for services ending June 30, 2016 and the balance shall be certified upon the appropriation of funds in FY2017.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of January, 2016, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Ronald Gordon Esq. of the firm DeCotiis, Fitzpatrick & Cole, LLP to serve as Labor Counsel for calendar year 2016 with a contract authorization not to exceed \$40,000.00.

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer, certify that \$30,000.00 is available for this purpose in FY2016 budget account 6-01-20-155-000-983 for services ending June 30, 2016 and the balance shall be certified upon the appropriation of funds in FY2017. Contract PRO16007



Kala Sriranganathan
Chief Financial Officer



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EVALUATION REPORT

2016 TOWNSHIP LABOR COUNSEL - REQUEST FOR PROPOSAL

DECEMBER 29, 2015

As part of its annual award of professional service agreements in accordance with “Fair and Open” procurement process established in the State of New Jersey pursuant to N.J.S.A. 19:44A-20.1 et seq., North Brunswick Township solicited Requests for Proposals (RFP) for Labor Counsel for calendar year 2016.

On October 5, 2015, the Township Council passed resolution 267-10.15 authorizing the solicitation of proposals for this service. The process under a formal RFP allows for factors other than price to be taken into consideration when awarding a contract. This process also requires that a committee be established to evaluate proposals in accordance with “weighted” criteria established prior to solicitation of proposals.

Pursuant to N.J.A.C 5:34-4.3, the Township established a three (3) person committee comprised of the following individuals:

Robert Lombard, Business Administrator

Ken McCormick, Director of Public Safety

Justine Progebin, Assistant Business Administrator

Prior to the committee’s first meeting, each committee member assessed their own affiliations and financial interest, as well as the affiliations and financial interests of family members, to ensure that there was no conflict with potential vendors. Each member signed a statement attesting to the fact that there was no conflict of interest.

The committee reviewed and discussed the Request for Proposal and alternative evaluation criteria. The committee agreed to the criteria to be evaluated and the numerical weighting to be assigned to each. The established weighting criterion was as follows:

1. Understanding and Prior Experience with the township – 30 points
2. Experience and Qualifications of Individuals – 20 points
3. Overall company history – 30 points
4. Agreement to the Pricing Model – 20 points

Two proposals were received by the submission deadline of November 13, 2015:

DeCotiis, Fitzpatrick & Cole LLP
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666

Lite DePalma Greenberg, LLC
570 Broad Street Ste. 1201
Newark, N.J. 07102

The committee members individually reviewed the proposal. The committee then met to discuss the proposal including: experience, proposed methodology and other factors.

DeCotiis, Fitzpatrick & Cole LLP has served as Township's Labor Counsel for several years now. They received high scores in all areas. Evaluators ranked their experience high based on past performance in 2016 dealing with labor related matters. Their total score was 285 out of a possible 300. Lite DePalma Greenberg, while a qualified firm, scored 210. The committee therefore recommends the award of contract PRO16007 to DeCotiis, Fitzpatrick & Cole LLP for submitting a proposal that is responsive to the Township's needs and in accordance with the pre-established weighting criteria.